

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:05cr204-C
)
BILLY MERCER)

UNITED STATES OF AMERICA'S REQUESTED VOIR DIRE QUESTIONS

Comes now the United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and requests this Court to propound the attached questions to the jury venire in this case.

Respectfully submitted this 6th day of February, 2006.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon
John T. Harmon
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REQUESTED VOIR DIRE QUESTIONS

1. Do any of you have any convictions, whether they be moral, religious, philosophical or otherwise, that would prevent you from forfeiting (that is taking) property from an individual without compensation, if the property is involved in and connected to a crime?

2. Have you or your relatives or friends ever had any property (either real or personal) taken by any governmental agency for any purpose either with or without compensation?

If so, please explain what happened or state if this experience has given you an opinion or bias for or against the taking of property by a governmental agency?

3. Have any of you discussed any aspect of this case with anyone who claimed to have some special knowledge of what actually occurred?

If so, with whom and under what circumstances?

What knowledge did this person have?

Have you formed an opinion based on what this person told you?

4. Has any member of the panel, or a relative or close friend ever been employed by a law firm or other organization which participates in the defense of criminal cases?

If so, please state their names, the type of law they practice and the location of their practice.

If a relative was or is so employed, do you often discuss their jobs with them?

5. Has any member of the panel ever had any dealings with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, the Office of the United States Attorney, or the Department of Justice?

If so, please elaborate.

6. Have you ever had any dealings with the police, a court, or a prosecutor that left you unhappy or unsatisfied?

If so, please elaborate.

7. Do you or any of your friends or relatives know the attorneys in this case? If so, who and how?

8. Do you know any other member of the jury panel? If so, who and how?

9. Have you or any of your friends or relatives ever had any unfavorable association or dealings with the United States Government? If so, who had the association or what was the nature of the association?

10. Does any member of the panel belong to any professional, educational, religious, social or other organization which

advocates the repeal or modification of the forfeiture laws of the United States?

11. Does any member of the panel subscribe to the active concealment of assets from the United States Government, or belong to any organization advocating the active concealment of assets from governmental agencies to avoid taxation? Has any member of the panel ever attended a meeting or seminar wherein the validity and constitutionality of the federal income tax laws were questioned?

12. Do each and every one of you understand that during the course of the trial an attorney is not permitted to speak to the jurors and that you should not hold it against the attorney if he or she does not acknowledge you or speak to you?

13. The Defendant may introduce evidence concerning his good character. Do any of you believe that a person with a good reputation should not have his property forfeited?

14. Is there any reason why any of you would be unable to reach a fair and impartial verdict based solely upon the evidence submitted during the trial and the instructions which the judge gives you?

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2006, I electronically filed the foregoing Requested Voir Dire with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Terry F. Moorer, Jeffery C. Duffey and Benjamin Schoettker.**

/s/John T. Harmon
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